

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM MARC WATTS,

Plaintiff,

v.

Case No. 16-11453

CAPITAL ONE BANK USA, N.A.

HON. AVERN COHN

Defendant.

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ORDER DISMISSING CASE

This is a Fair Credit Reporting Act (FCRA) case. On February 22, 2017, the Court held a hearing on Defendant's Motion for Summary Judgment, (Doc. 42), and Plaintiff's Cross Motion for Summary Judgment, (Doc. 43). For the reasons stated on the record, the defendant's motion is GRANTED and plaintiff's motion is DENIED.¹

Plaintiff incurred credit card debt to defendant bank. Plaintiff defaulted on the debt. The bank charged off the debt.² Plaintiff claims the manner in which the charged off debt is displayed on credit reports, see Exhibit A (attached), issued by credit reporting agencies violates the FCRA, 15 U.S.C. § 1681s-2(b). The agencies are no longer parties to the case. The bank transmitted monthly reports to the agencies on charged off credit card debts. The manner in which the information was transmitted is not in the record. Plaintiff does not dispute the accuracy of the credit reports. Plaintiff

¹ Defendant's Motion to Exclude Plaintiff's Expert, (Doc. 48), is DENIED as moot.

² As explained in *Stratton v. Portfolio Recovery Assocs., LLC*, 770 F.3d 443, 445 (6th Cir. 2014), a debt "charged off" is one a creditor deems uncollectible and for which the creditor ceases charging interest. The creditor is allowed a bad-debt tax deduction.

acknowledges the bank is not responsible for the manner in which the agencies display the information. The bank is not responsible under the FCRA for the manner in which the information is displayed.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: February 24, 2017
Detroit, Michigan